

INTER-OFFICE COMMUNICATIONS

Palm Beach County, Florida

TO: John Sansbury, County Administrator
Lisa Heasley, County Attorney's Office
Herb Kahlert, County Engineer
David Blutworth, State Attorney
Joy Shearer, Asst. Attorney General
Captain Cook, Sheriff's Dept. - Civil
Jerry Nolan, Director of Admin. - Sheriff's Office
John Lehner, Planning, Zoning & Bldg.
Bob Palchanis, Building Division, Director
Tom McEaddy, Assistant County Attorney
Patty Young - 4th District Court of Appeals
Law Library
(2) County Library
Pinky Yount, PBC Municipal League Inc.

DATE: June 27, 1986

- Chris Wilson, Finance
- Judy Hemberger
- John Flynn

FROM: John W. Dame, Chief Deputy Clerk

RE: PALM BEACH COUNTY ORDINANCE DISTRIBUTION

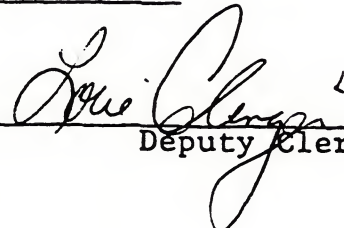
ORDINANCE NO. 86-16

TITLE REFERENCE:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 2, 3, 7
AND EXHIBIT "A" OF PALM BEACH COUNTY ORDINANCE NO.
84-5, WHICH PROVIDES FOR THE CREATION OF FIVE (5)
MUNICIPAL SERVICE TAXING UNITS IN THE UNINCORPORATED
AREAS OF PALM BEACH COUNTY, FLORIDA FOR THE PURPOSE
OF PROVIDING IMPROVEMENTS FOR ROAD AND STREETS,
STREET LIGHTING, WATER SERVICE, SEWAGE COLLECTION AND
DISPOSAL, AND DRAINAGE, TO PROVIDE FOR THE CREATION
OF AN ADDITIONAL UNINCORPORATED-WIDE MUNICIPAL
SERVICE TAXING UNIT TO ALSO PROVIDE SAID SERVICES
WITHIN SUCH UNIT, PROVIDING FOR SEVERABILITY,
PENALTIES, REPEAL OF CONFLICTING ORDINANCES,
INCLUSION IN THE CODE OF LAWS AND ORDINANCES, AND
EFFECTIVE DATE.

Attached is a copy of the above referenced Ordinance of Palm Beach
County. \ This Ordinance has been filed with Florida Department of State
and forwarded to Municipal Code Corporation for codification. The
effective date is June 25, 1986 at 4:42 P.M.

Signed



Deputy Clerk

JWD:

Attachment

* cc: Commissioners, BCC
Clerk
Minutes

*If a complete copy of ordinance is needed, please advise this office
and we will be happy to provide a copy.

ORDINANCE NO. 86-16

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 2, 3, 7
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WITHIN SUCH UNIT, PROVIDING FOR SEVERABILITY,
PENALTIES, REPEAL OF CONFLICTING ORDINANCES,
INCLUSION IN THE CODE OF LAWS AND ORDINANCES, AND
EFFECTIVE DATE.

WHEREAS, under the provisions of Ordinance No. 84-5 there is
created five Municipal Service Taxing Units in the unincorporated areas
of Palm Beach County for the purpose of providing improvements for road
and streets, street lighting, water service, sewage collection and
disposal, and drainage, and

WHEREAS, said units are funded through legally available income
or other source of funds, attributable to the respective taxing units,
and

WHEREAS, when funds are attributable or generated from the
unincorporated area of Palm Beach County as a whole it is appropriate to
provide the ability to fund such services in the entire unincorporated
area, and

WHEREAS, based upon the foregoing it is necessary to create an
unincorporated-wide municipal service taxing unit.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

1 Part I - Section 2 of Ordinance 84-5, entitled "Creation, Purpose", is
2 hereby amended to read as follows:

3 Section 2. Creation, Purpose.

4 "A- There is hereby established five (5) Municipal Service
5 Taxing Units, pursuant to the authority granted in Section
6 125.01(1)(q)(r), Florida Statutes. Said Municipal Service Taxing Units
7 shall be known as "Municipal Service Taxing Units No. 1, No. 2, No. 3,
8 No. 4, and No. 5, respectively, and may be alternatively designated as
9 "Municipal Service Taxing Units A, B, C, D, and E, respectively, each of
10 which shall consist of a specific portion of all the unincorporated area
11 of the County of Palm Beach as described in the legal description for
12 each of said five (5) Municipal Service Taxing Units, as set forth in
13 Exhibit "A" attached hereto and incorporated herein for all purposes.
14 There is also hereby established an additional Municipal Service Taxing
15 Unit, to be known as "Municipal Service Taxing Unit Unincorporated-
16 wide No. 6," which shall consist of the entire unincorporated area
17 of Palm Beach County, as set forth in said Exhibit "A", and may be
18 alternatively designated as "Municipal Service Taxing Unit
19 Unincorporated-wide F." Each of said Municipal Service Taxing Units
20 (hereinafter referred to as Units) shall consist of the specifically
21 described portion of all unincorporated areas of Palm Beach County,
22 except for Municipal Service Taxing Unit Unincorporated-wide No. 6,
23 which shall consist of the entire unincorporated area of Palm Beach
24 County, excepting all municipalities, as said municipalities now exist
25 and as said municipalities may from time to time be changed in accordance
26 with law. The purposes of each of said Units shall be to provide within
27 each of said corresponding Units, street and road improvements intended
28 to facilitate the passage and control of vehicular traffic and
29 pedestrians, and to provide street lighting and street illumination so as
30 to further promote safety and convenience of travel in, upon, along, and
31 across said streets by vehicular traffic and pedestrians, and other
32 improvements and facilities described in Section 8(E) of this Ordinance,
33 and other purposes incidental hereto, pursuant to this Ordinance and in
34 compliance with law.

Part II - Section 3 of Ordinance 84-5, entitled "Governing Body of Municipal Service Taxing Units" is hereby amended as follows:

Section 3. Governing Body of Municipal Service Taxing Units.

The Board of County Commissioners of Palm Beach County, shall be the Governing Body of each of the taxing units created by this Ordinance. All references to the Board of County Commissioners or Municipal Service Taxing Units herein shall be deemed to include both, as appropriate. The term "Taxing Unit" as used in this ordinance shall be deemed to refer to each of the ~~five-(5)~~ six (6) units existing under Section 2 hereof, unless specifically indicated to the contrary.

Part III - Section 7 of Ordinance 84-5, entitled "Trust Fund" is hereby amended by amending subsection A thereof.

Section 7. Trust Funds.

A. There is hereby established ~~five-(5)~~ six (6) Trust Funds, one (1) for each Unit, hereinafter called "Trust Funds" for the purposes of this Ordinance. Except as otherwise provided in Section 33, all special assessments and service charges collected pursuant to this Ordinance for improvements hereunder shall be deposited into the applicable Trust Fund. The Board may levy ad valorem taxes in each of said Units to the full extent permitted by general law. Said tax proceeds shall be deposited into the applicable Trust Fund. The funds on deposit in said Trust Fund shall be used for no other purposes than as provided under the provisions of this Ordinance.

REPEAL OF LAWS IN CONFLICT

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provisions of this ordinance are hereby repealed.

SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

EFFECTIVE DATE

The provisions of this ordinance shall become effective upon receipt of acknowledgement by the Secretary of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the 10th day of June, 1986.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By

Loren Marcus
Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Ronald C. M. Edd
County Attorney

Acknowledgement by the Department of State of the State of Florida, on this, the 23rd day of June, 1986.

EFFECTIVE DATE: Acknowledgement from the Department of State received on the 25th day of June, 1986, at 4:42 P.M., and filed in the Office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOHN B. DUNKLE, Clerk of the
Board of County Commissioners, certify this to
be a true and correct copy of the original filed in
my office on 6/10/86
DATED at West Palm Beach, FL on 6/27/86
JOHN B. DUNKLE, Clerk
By: *John B. Dunkle* D.C.
Deputy Clerk

MUNICIPAL SERVICE TAXING UNIT NO. 1
(MSTU)

Begin at the water's edge of the Atlantic Ocean and the easterly prolongation of Root Trail; thence westerly along Root Trail and its eastern prolongation to Ocean Boulevard; thence northerly along Ocean Boulevard to Seminole Avenue; thence westerly along Seminole Avenue and its western prolongation to the centerline of the channel of the Intracoastal Waterway; thence northerly along said centerline of the channel to Palm Beach Lakes Boulevard (12th Street) and its easterly prolongation; thence westerly along said Palm Beach Lakes Boulevard and its easterly prolongation to the centerline of the Florida East Coast Railroad; thence northerly along the centerline of said Railroad to 25th Street; thence westerly along 25th Street to Australian Avenue; thence southerly along Australian Avenue to the north line of lot 5 and its easterly prolongation of Plat Book 28, Page 6, Palm Beach County Records; thence westerly along the said north line of lot 5 and its easterly and westerly prolongation to the eastern waters of Lake Mangonia; thence meander northerly, westerly and southwesterly along the water's edge of Lake Mangonia to the West Palm Beach Water Catchment Canal; thence northwesterly and westerly along the West Palm Beach Water Catchment Canal to Haverhill Road; thence northerly along Haverhill Road to the north line of Section 11, Township 43S, Range 42E; thence westerly along the north lines of Sections 11, 10, 9, 8 and 7 of Township 43S, Range 42E, to the east line of Range 41E, thence southerly along the east line of Range 41E to the north line of Section 12, Township 43S, Range 41E; thence westerly along the north lines of Sections 12, 11, 10, 9, 8 and 7 of Township 43S, Range 41E to the west line of Range 41E; thence northerly along the west line of Range 41E to the north line of Section 12, Township 43S, Range 40E; thence westerly along the north lines of Sections 12, 11, 10, 9, 8 and 7 of Township 43S, Range 40E to the west line of Range 40E; thence northerly along the west line of Range 40E to the north line of Township 43S, Range 40E; thence easterly along the north line of Township 43S, Range 40E to the west line of Township 42S, Range 40E; thence northerly along the west line of Range 40E to the north line of Palm Beach County; thence easterly, northerly and easterly along the north line of Palm Beach County to the eastern waters of the Atlantic Ocean; thence meander southerly along the water's edge of the Atlantic Ocean to the easterly prolongation of Root Trail and the Point of Beginning.

EXHIBIT "A"

MUNICIPAL SERVICE TAXING UNIT NO. 2
(MSTU)

Begin at the intersection of the north line of lot 110 of Plat Book 8, Page 3, Palm Beach County Records and the water's edge of the Atlantic Ocean; thence westerly along said north line and its westerly prolongation of lot 110 to the centerline of the channel of the Intracoastal Waterway; thence southerly along the centerline of said channel of the Intracoastal Waterway to the C-51 Canal (West Palm Beach Canal) and its easterly prolongation; thence westerly along C-51 Canal and its easterly prolongation to the easterly terminus of the Lake Worth Drainage District L-8 Canal; thence westerly along said L-8 Canal to Military Trail; thence southerly along Military Trail to the Lake Worth Drainage District L-9 Canal; thence westerly along said L-9 Canal to State Road 7; thence southerly along State Road 7 to the north line of Section 24, Township 44S, Range 41E; thence westerly along the north lines of Sections 24, 23, 22, 21, 20 and 19 to the west line of Range 41E; thence southerly along the east line of Range 40E to the north line of Section 24, Township 44S, Range 40E; thence westerly along the north lines of Sections 24, 23, 22, 21, 20 and 19 to the west line of Range 40E; thence northerly along the west line of Range 40E to the south line of MSTU No. 1; thence easterly along said south line of MSTU No. 1 to the waters of the Atlantic Ocean; thence southerly along the water's edge of the Atlantic Ocean to the Point of Beginning.

EXHIBIT "A"

MUNICIPAL SERVICE TAXING UNIT NO. 3
(MSTU)

Begin at the intersection of the water's edge of the Atlantic Ocean and the centerline of the Boynton Inlet; thence westerly along the centerline of the Boynton Inlet to the centerline of the channel of the Intracoastal Waterway; thence southerly along the centerline of the channel of the Intracoastal Waterway to Northeast Second Avenue (S.R. 804) and its eastern prolongation; thence westerly along Northeast Second Avenue (S.R. 804) and its eastern prolongation to Congress Avenue; thence Southerly along Congress Avenue to the Lake Worth Drainage District Canal L-26; thence westerly along said L-26 to State Road 7; thence northerly along State Road 7 to the north line of Section 36, Township 45S, Range 41E; thence westerly along the north lines of Sections 36, 35, 34, 33, 32 and 31 of Township 45S, Range 41E to the west line of Range 41E; thence southerly along the west line of Range 41E to the south line of Township 45S, Range 40E; thence westerly along the south line of Township 45S, Range 40E to the west line of Township 45S, Range 40E; thence northerly along the west line of Range 40E to the south line of MSTU No. 2; thence easterly along said south line of MSTU No. 2 to the eastern waters of the Atlantic Ocean; thence southerly along the water's edge of the Atlantic Ocean to the Point of Beginning.

EXHIBIT "A"

MUNICIPAL SERVICE TAXING UNIT NO. 4
(MSTU)

Bounded on the east by the water's edge of the
Atlantic Ocean; bounded on the north by the south
line of MSTU No. 3; bounded
on the west by the west line of Range 40E; bounded
on the south by the south line of Palm Beach County.

EXHIBIT "A"

MUNICIPAL SERVICE TAXING UNIT NO. 5
(MSTU)

All that portion of Palm Beach County lying
west of the west lines of the MSTU
No.'s 1, 2, 3 and 4.

EXHIBIT "A"

MUNICIPAL SERVICE TAXING UNIT
UNINCORPORATED-WIDE NO. 6
(MSTU)

The boundary lines of Palm Beach County are as follows: Beginning on the east boundary of Florida at a point where the south boundary of township forty-seven south, of range forty-three east, produced easterly would intersect the same; thence westerly on said township line to its intersection with the axis or center line of the Hillsborough State Drainage Canal as at present located and constructed; thence westerly along the center line of said canal to its intersection with the section line dividing sections twenty-six and thirty-five of township forty-seven south, range forty-one east; thence westerly on the section line dividing said sections twenty-six and thirty-five and other sections to the northwest corner of section thirty-one, of township forty-seven south, range forty-one east; thence south on the range line dividing ranges forty and forty-one, township forty-seven south, to the northeast corner of section twenty-five of township forty-seven south, range forty east, a distance of one hundred six feet more or less; thence due west on the north boundary of the sections numbered from twenty-five to thirty, inclusive, of townships forty-seven south, ranges thirty-seven to forty east, inclusive, as the same have been surveyed or may hereafter be surveyed by the authority of the Board of Trustees of the Internal Improvement Trust Fund, to the northwest corner of section thirty, township forty-seven south, range thirty-seven east; thence continuing due west to the range line between ranges thirty-four and thirty-five east, and the east boundary of Hendry County; thence north on said range line, concurrent with the east boundary of Hendry County, to the south shore of Lake Okeechobee; thence continuing north on said range line to the northeast corner of section thirty-six, township forty south, range thirty-four east; thence easterly parallel to and one mile north from the township line dividing townships forty and forty-one south to where the south boundary of section twenty-six, township forty south, range thirty-seven east intersects the normal water level on the boundary of Lake Okeechobee; thence east on the south boundary line of said section twenty-six and other sections across ranges thirty-seven, thirty-eight and thirty-nine, forty, forty-one and forty-two east, to the east line of section twenty-eight, township forty south, range forty-two east; thence north on said east section line to the north line of said section twenty-eight; thence east on the section line between sections twenty-two and twenty-seven of township forty south, range forty-two east, and other sections to the waters of the Atlantic Ocean; thence easterly to the eastern boundary of Florida; thence southward along the coast, including the waters of the Atlantic Ocean within the jurisdiction of the State of Florida, to the place of beginning.

Less and excepting therefrom, all incorporated areas.

EXHIBIT "A"